

RCE/1644
JW/B

Customized PTO/SB/30 (05-03)

**REQUEST FOR
CONTINUED EXAMINATION
(RCE) Transmittal**

Application # 09/380,327
Confirmation # 2475
Filing Date September 3, 1999
First Inventor ROBERTSON
Art Unit 1644
Examiner Huynh
Docket # P07407US00

This is a Request for Continued Examination under 37 CFR § 1.114 of the above-identified application.
RCE practice does not apply to any utility application filed prior to June 8, 1995, or to any design application.

**Submission required
under 37 CFR § 1.114**

Note: If the RCE is proper, any previously filed unentered amendments and amendments enclosed with the RCE will be entered in the order in which they were filed unless applicant instructs otherwise (with a separate Request).

..... **Previously submitted.** If a final Office action is outstanding, any amendments filed after the final Office action may be considered by the PTO as a submission even if this line is not checked.

..... Consider the arguments in the Appeal or Reply Brief previously filed on

..... Other:

☒ Enclosed

..... ☒ Amendment/Reply w/Attachments

..... Information Disclosure Citation

..... Affidavit(s)/Declaration(s)

..... Other:

Miscellaneous

..... **Suspension of action** on the above-identified application is requested under 37 CFR § 1.103(c) for a period of * months (Period of suspension shall not exceed 3 months; Fee under 37CFR§ 1.17(i) required)

..... Other: Petition for Three-Month Extension of Time

FEES: calculated below (after reduction for an amendment if noted above).

	NOW	Basic/Previous Number	Present Extra	Rate	\$
..... TOTAL CLAIMS	36	-38	0	X \$ 18 =	
..... INDEP. CLAIMS	1	- 3	0	X \$ 86 =	
<input checked="" type="checkbox"/> RCE fee required under 37 CFR § 1.17(e)				\$ 770 =	770
TOTAL OF ABOVE CALCULATIONS =					770
..... Reduction by ½ for small entity status of applicant				-	
SUBTOTAL =					770
<input checked="" type="checkbox"/> Extension of time fee				+ \$ =	950
..... Other fee for				+ \$ =	
TOTAL OF ALL FEES =					\$1,720.00

☒ Payment of \$ 1,720.00 is made by attached CHECK ☒ CREDIT CARD (PTO-2038)

☒ If no payment or an insufficient payment is enclosed a fee is due in connection herewith, the Commissioner is authorized to charge any fee or additional fee due in connection herewith to Deposit Account No. 12-0555.

☒ In the event that a petition for extension of time is required to be submitted but it is not filed herewith, applicant hereby petitions under 37 CFR § 1.136(a) for an extension of time of as many months as are required to render this submission timely. The Commissioner is authorized to charge any fee or additional fee due in connection herewith to Deposit Account No. 12-0555.

Date: 15 July 2004

By: B. Aaron Schulman
Registration No.: 31,877

STITES & HARBISON PLLC • 1199 North Fairfax St. • Suite 900 • Alexandria, VA 22314

135LT:5649:441:1:ALEXANDRIA

07/16/2004 SDIRETA1 00000074 09380327

01 FC:1801

770.00 GP



AMENDMENT

Application #	09/380,327
Confirmation #	2475
Filing Date	September 3, 1999
First Inventor	ROBERTSON
Art Unit	1644
Examiner	Huynh, Phuong N.
Docket #	P07407US00/BAS

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

S I R:

In response to the Office Action dated January 16, 2004, and in conjunction with the Request for Continued Examination (RCE) filed herewith and the recent Interview between the Applicants' representatives, the Examiner and the Supervisor, please amend the above identified application as follows.

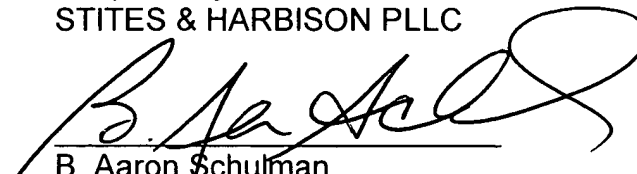
Amendments to the Claims are reflected in the listing of the claims provided herewith in **Attachment A**.

A Declaration under Rule 132 of Dr. David Alexander Clark is provided as **Attachment B**.

Remarks to this Amendment are provided herewith in **Attachment C**.

In light of the amendments and arguments set forth herein and as discussed in the recent Interview with the Examiner and Supervisor, Applicants submit that the present application is now in condition for allowance for the reasons as stated in detail herewith.

Respectfully submitted,
STITES & HARBISON PLLC



B. Aaron Schulman
Registration No. 31,877

July 15, 2004

1199 North Fairfax Street, Suite 900
Alexandria, Virginia 22314
(703) 739-4900